

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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DAVID B. TRACEY, et al., :
v. Plaintiffs, : Civil Action
MASSACHUSETTS INSTITUTE OF : No. 16-11620-NMG
TECHNOLOGY, et al., :
Defendants. :
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TRANSMITTAL DECLARATION OF JAMES R. CARROLL

I, JAMES R. CARROLL, pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am a member of the bar of the Commonwealth of Massachusetts and a Partner in the law firm Skadden, Arps, Slate, Meagher & Flom LLP, counsel for non-parties Abigail P. Johnson and FMR LLC in the above-captioned action.

2. I make this declaration in support of Non-Parties Abigail P. Johnson's And FMR LLC's Motion For A Protective Order and for the purpose of transmitting to the Court true and correct copies of the following documents:

Exhibit 1: Plaintiffs' Witness List (Aug. 7, 2019)

Exhibit 2: Plaintiffs' Press Release (Aug. 5, 2019) (*MIT Squanders Workers' Retirement Savings in Payments to Abigail Johnson and Fidelity in Return for Donations, Says Schlichter Bogard & Denton*)

Exhibit 3: Deposition of John Harrington (Excerpts) (Nov. 29, 2018)

Exhibit 4: Deposition of Michael Howard (Excerpts) (Mar. 15, 2019)

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 19, 2019, in Boston, Massachusetts.

Dated: August 19, 2019
Boston, Massachusetts

Respectfully submitted,

/s/ James R. Carroll
James R. Carroll (BBO #554426)
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